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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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SUMMARY RECORD OF THE 42nd MEETING IN 1990

Held at the Palais des Nations, Geneva,
on Thursday, 6 December 1990, at 3 p.m.

Chairman: Mr. KOUZNETSOV

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The meeting was called to order at 3.20 p.m.

ORGANIZATION OF WORK (agenda item 4) (continued)

1. Mr. SIMMA recalled that, in accordance with a decision taken at its fourth session (E/C.12/1990/3, para. 308), the Committee was to consider the supplementary reports of France, the Netherlands and Zaire at its current session. The Committee had also received supplementary information in writing from Colombia. However, there had been some controversy about France's report and the supplementary information submitted by Colombia was quite substantial. The experts would therefore have to devote several hours to studying those documents and decide at what point they would begin consideration of them.

2. The CHAIRMAN indicated that, before taking a decision on the matter, the Committee should determine what it still had to do in the third week of the session and revise its programme of work accordingly.

3. Mr. ALSTON proposed that, to avoid wasting time in the plenary, the Committee should entrust two or three of its members with the task of drawing up a set of proposals on the modalities for a discussion of the supplementary reports.

4. The CHAIRMAN said that that was a sensible idea.

5. Mr. ALSTON suggested that the experts should give some thought to the eventual composition of such an informal working group. In addition, the Committee would have to examine the draft general comment on article 2, paragraph 1, of the Covenant. He hoped that document would be available in all languages by Friday, 7 December, so that members would have every opportunity to study it before it was considered during the third week of their work.

6. The CHAIRMAN requested the members of the Committee to hold consultations and inform him, before the following morning's meeting, of the composition of the sessional working group which would draw up proposals for the afternoon of Monday, 10 December, regarding the conclusions on the supplementary reports submitted by States parties following the consideration of their reports.

CONSIDERATION OF REPORTS (agenda item 7)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Ecuador (E/1986/3/Add.14, E/1988/5/Add.7) (continued)

7. Following a procedural discussion in which Mr. KONATE, Mr. ALSTON, Mr. SIMMA, Mr. TEXIER, Mr. NENEMAN and Mr. SPARSIS took part, the CHAIRMAN invited Mr. Konate to resume the concluding observations on the initial reports of Ecuador and the replies by that country's delegation which he had begun at an earlier meeting as the expert designated to speak first during that stage of the Committee's work.

8. Mr. KONATE restated his proposal that the concluding observations should contain the following points:

> Members of the Committee indicated their great satisfaction to the Government of Ecuador at the quality of the report presented and praised the frankness, sincerity and objectivity with which the representative of that country described the conditions in which the Covenant was implemented.
>
> While taking note of the difficulties indicated, notably the foreign debt burden, the Committee wished to draw attention to the obligations devolving upon States parties under the Covenant, whatever their level of development.
>
> Despite the difficulties indicated by the representative of Ecuador, the Committee nevertheless noted with satisfaction, in the light of the information contained in the written reports, that progress had been achieved by the country, notably in efforts to combat illiteracy.
>
> Members of the Committee regretted, however, that the extremely useful explanations given by the representative and the relevant information contained in the reports had not been backed up by statistics which would have enabled the Committee to form a better understanding and to measure the progress achieved by the Government of Ecuador.
>
> Regarding the legal effect of the Covenant and compliance with the provisions of its article 10, the Committee pointed out the need for the Government of Ecuador to harmonize its labour legislation with the international standards established by the current International Labour Organisation conventions to which Ecuador was a party, in particular the Maternity Protection Convention (Revised), 1952 (No. 103), in order to extend maternity leave to a minimum of 12 weeks instead of the 8 weeks provided for in the Labour Code (ILO report, E/1991/4, p. 10).
>
> Noting that constraints of time had prevented the representative from providing detailed answers to the questions put on articles 13 to 15, the Committee requested additional information in writing on the unanswered questions.

9. Those points were to be taken as the first thoughts of one expert and did not, at the current stage, reflect the views of the members of the Committee as a whole.

10. The CHAIRMAN recalled that a compilation of statistics on Ecuador had been distributed to the experts at the previous meeting at the request of the Ecuadorian delegation, which had thus responded to the wishes expressed by several experts. For his part he felt that, in its concluding observations, the Committee should take account of the spirit of co-operation shown by the delegation of Ecuador in that regard.

11. Mr. SIMMA said that he agreed on the whole with Mr. Konate's observations regarding the quality of the reports submitted by Ecuador and the explanations provided by that country's delegation. However, Mr. Konate's comments on ILO Convention No. 103 reflected only that expert's views. For his part, he

wished to thank the Ecuadorian delegation for having provided the Committee with more detailed information in the form of a compilation of statistics. Nevertheless, he would appreciate a written reply to two questions he had raised which had not been dealt with by the representatives of Ecuador. To recapitulate, he had asked, first, whether doctors in Ecuador were required to work for a certain time in rural areas after completing their training and what system, if any, had been set up for that purpose. Secondly, it appeared that the Government of Ecuador had sought to provide minors who were obliged to work with the opportunity to continue their training and had enacted legislation entitling them to two hours' leave per day for training. Were young people aware of those regulations, and did employers encourage those interested to avail themselves of that opportunity?

12. Mr. ALSTON said that he was not sure whether Ecuador was a party to ILO Convention No. 103. If so, the Committee could certainly call on the Government of Ecuador to comply with the standards set by that instrument. If not, it was not in a position to make any judgement on the matter. In all other respects, he endorsed the draft presented by Mr. Konate.

13. Mr. MUTERAHEJURU said he regretted that a large number of questions raised by the Committee, particularly on articles 13 to 15, had remained unanswered, and would greatly appreciate replies to them in writing.

14. Mr. GLAIEL said that Mr. Konate's comments suggested that Ecuador had made progress only in efforts to combat illiteracy. While the progress achieved in that regard might have been particularly striking, it was none the less true that the country had been successful in several other areas too. Also, the compilation of statistics submitted by the Ecuadorian delegation should be regarded as part of its reply to the questions raised by the Committee and it was therefore inappropriate in the concluding observations to express regret that the Ecuadorian representatives' explanations and the information contained in the reports had not been backed up by statistics. Lastly, it was the general view that the reports of Ecuador cited a number of legislative texts, but did not make it sufficiently clear how the provisions of the Covenant were actually being implemented. That fact should be noted in the concluding observations.

15. Mr. SPARSIS, referring to the right to an adequate standard of living, as set forth in article 11 of the Covenant and guaranteed by article 19 (14) of the Ecuadorian Constitution, said he would like to know whether the Ecuadorian authorities had determined what should be the minimum living wage in the country and whether they had set up social services to assist any person who did not receive that minimum wage.

16. Mr. ALSTON pointed out that, in accordance with the decisions adopted by the Committee in that regard, when preparing their concluding observations, members were required to make a judgement on the quality of the reports submitted by States and the explanations provided by delegations. It was inappropriate at that stage to put new questions.

17. Mr. SPARSIS indicated that his intention had not been to reopen the discussion, but simply to draw attention to points which remained unclear.

18. Mr. KONATE said that he readily acknowledged that Ecuador had achieved progress in many areas and would agree to delete the reference to the success in efforts to combat illiteracy, so as not to single out progress made in that regard. He could assure Mr. Alston that Ecuador was a party to ILO Convention No. 103, but not to Convention No. 133, which revised the former. In any event, the Government of Ecuador had informed the competent treaty body that it would revise the Labour Code to harmonize the country's social legislation with the new standards set by Convention No. 133 concerning maternity leave. Those were the facts, and he failed to see why the Committee should not mention them, since doing so would show that it was closely following all matters relating to the implementation of the provisions of the Covenant, particularly as one ILO convention was referred to in article 8 of the Covenant. However, he would be prepared to delete that reference if the members of the Committee were unable to go along with it. As to the statistical compilation submitted by the Ecuadorian delegation, it should be noted that a quick reading of the document was not sufficient to obtain a real measure of the progress actually achieved in implementing articles 10 to 15. Furthermore, the statistical compilation was in a sense a new development, since it had been presented well after the reports of Ecuador had been submitted and considered by the Committee. If the members of the Committee wished to take account of it in their concluding observations, it would be necessary to resume the whole process of considering the reports, and that was hardly feasible at the current stage. In his concluding observations, he had endeavoured to bring out the general feeling of the members of the Committee, and had merely followed the established practice of attributing to the Committee, where appropriate, a comment made by one of its members which the others appeared to endorse.

19. Mr. ALSTON said that the Committee was not yet at the drafting stage and, for the time being, the members should merely state briefly their observations.

20. Mrs. JIMENEZ BUTRAGUEÑO thanked Mr. Konate and endorsed his draft concluding observations. In her view, the problem of abandoned children should be mentioned in the report. She was not the only member to have spoken about that problem, which Ecuador had itself mentioned.

21. Mr. ALVAREZ VITA thanked Mr. Konate and deplored the fact that some members of the Committee were already seeking to modify another member's draft observations. Mr. Konate had expressed regret that the statistics had not been communicated at the same time as the report, but he had not himself been troubled by that. He merely asked that the report should faithfully reflect the Committee's discussions.

22. Mr. MRATCHKOV thanked Mr. Konate for the draft observations he had presented. He likewise felt that the maternity leave provided by Ecuadorian legislation was inadequate. However, as a matter of principle, referring to an ILO convention - even one ratified by Ecuador - would, in his view, set a dangerous precedent, since questions might then be raised concerning other ILO conventions or instruments of other international organizations. Article 10, paragraph 2, of the Covenant spoke of special protection during a reasonable period and the report could say that the leave accorded in Ecuador was not for a reasonable period.

23. Mr. KONATE said that the ILO Convention defined an international standard, unlike article 10 of the Covenant, which did not specify what constituted a reasonable period. Furthermore, Ecuador did not contest the fact that its legislation accorded too short a period of leave and had announced its intention to amend the legislation to bring it into conformity with the ILO Convention. If the Committee wished to delete any reference to ILO in its report, it would have to define what it meant by a reasonable period.

24. Mr. SIMMA urged that the final report to be prepared by Mr. Alston should reflect the views of all members able to subscribe in general to Mr. Konate's assessment and say, for example, that the quality of the reply provided by Ecuador was satisfactory; however, the report should not ascribe the particular views of some members to the Committee as a whole, but should present them as individual views. The Committee could thus refer to the ILO Convention without encroaching upon an area that was not within its competence. He requested the Chairman to explain to all the members that, at the current stage, they should not be agreeing on a text, but expressing their individual views.

25. The CHAIRMAN said he was confident that Mr. Alston, thanks to his vast experience, would make a perfect synthesis of all the views expressed. In accordance with the usual procedure, the rapporteur would present the Committee with a draft to which any member could put forward whatever changes he wished.

26. Mr. KONATE said that, in a spirit of compromise, he would agree to the deletion of any reference to ILO conventions. He recalled, however, that the Committee had in the past often endorsed opinions held by only some of its members; that was what he himself had done in his draft concluding observations by setting out the opinions of individual members as being those of the Committee, even when he had not personally subscribed to them. The current arguments risked making it necessary in future to ask whether each word in a draft text really corresponded to the view of the group as a whole. He was against that way of proceeding.

Islamic Republic of Iran (E/1982/3/Add.43)

27. At the invitation of the Chairman, Mr. Tabatabaee and Mr. Mohsen-Pour took places at the Committee table.

28. Mr. TABATABAEE (Islamic Republic of Iran) said that he was pleased to introduce his Government's first report to the Committee. He would provide some information about the geographical and political features of his country before going on to describe the educational system.

29. Iranian territory consisted of a mountainous plateau of more than 1,600,000 km^2, which had common borders with the Soviet Union, Turkey, Iraq, Pakistan and Afghanistan and opened onto the Persian Gulf and the Sea of Oman. The climate was humid in the coastal region and semi-arid and desert-like in the mountainous areas. Nearly 66 per cent of Iranians were of Persian origin, 25 per cent were of Turkish origin, 5 per cent of Kurdish origin and 4 per cent of Arab origin. According to the 1986 census, the population stood at 52 million, or 27.2 persons per km^2, divided equally

between urban and rural areas. The population was relatively young, 43.6 per cent of Iranians being under 14 years of age and 52 per cent between 15 and 49 years of age. Nearly 98 per cent of Iranians were Muslims, and 91 per cent were Shiites. The non-Muslims were Christians, Jews or Zoroastrians.

30. In its early history, the territory had been occupied by the Medes, the Parthians and then the Persians. The latter had established a monarchical system of government lasting until 11 February 1979, the date which marked the victory of the revolution led by Imam Khomeini against the dictatorial régime of the Pahlavi dynasty. The overwhelming majority of the population had voted in a referendum in favour of establishing an Islamic republic. Under the current system of government, the President of the Republic was elected directly by the people in a secret ballot for a term of four years and could be re-elected for one more term. The Islamic Consultative Assembly was the legislative body, comprising 270 representatives elected directly by the people for four years in a secret ballot.

31. The economy comprised three sectors - the public sector, the co-operatives and the private sector. The Government exercised control over all activities of strategic importance and over activities in which its participation was useful, including all large-scale and basic industries, foreign trade, large mines, banks, insurance companies, power-stations, dams and major irrigation systems, radio and television, post, telegraph and telephone services, air transport and shipping.

32. With regard to education, the Government of the Islamic Republic of Iran had undertaken to provide free education for all children and young adults up to the end of the secondary level. The school system consisted of a preparatory level, primary education, an orientation cycle and secondary education. The youngest children could attend kindergarten, where they learned to master their language, became acquainted with their social and natural environment through sensory-motor activities and prepared themselves for primary schooling. They were also taught to respect others and to observe moral values.

33. In the primary schools, children from 6 to 10 years of age developed their mental, spiritual and physical potentials, learned reading, writing and arithmetic, acquired the proper social behaviour and familiarized themselves with natural phenomena. Courses were organized before each school year to enable children whose mother tongue was not the national language to acquire a good knowledge of the latter before entering primary school.

34. The orientation cycle, which followed primary schooling, was intended for children between 11 and 13 years of age and developed their moral and physical capacities and scientific knowledge. The teachers sought to identify the needs, interests and talents of each pupil, guiding students towards different branches of secondary education. Secondary education lasted four years and consisted of both academic and technical or vocational instruction. Secondary education graduates could either enter the job market or continue their studies at a higher level. Secondary education was devoted essentially to the acquisition of scientific knowledge and skills and the development of the students' intellectual, moral and physical capacities. Improvements had been made in secondary education in recent years. Computer science was now being taught on an experimental basis and should enable pupils to prepare themselves

better for entering the twenty-first century. In order to raise the standard of instruction and promote international intellectual co-operation in science and technology, students were encouraged to participate in national and international competitions in mathematics, physics and chemistry. Efforts were also being made to ensure that secondary education was more accessible to girls and disadvantaged groups. In addition, the Ministry of Education had recently set up technical and vocational institutions associated with factories to provide education of better quality.

35. University education was open to secondary education graduates who successfully passed the entrance examination. It prepared students for all university degrees up to the doctoral level.

36. The Islamic revolution had been followed by a cultural revolution which had sought to harmonize the curricula and educational environment with the aims of the Islamic revolution. Useless subjects had been eliminated and emphasis placed on basic courses. The adoption of advanced teaching methods and the publication of textbooks had helped to raise the level of knowledge. Twenty research and planning groups had been set up to adapt educational programmes and materials. In view of the sensitive role played by cultural activities and education in social life, a high council of the cultural revolution had been established. That council, composed of the country's highest authorities, took major decisions in cultural and educational matters with a view to preserving the ideals of the revolution.

37. Many improvements had been made in the system of higher education. A number of places had been set aside in the universities for members of culturally and economically disadvantaged groups. Home study courses for disadvantaged groups had been organized to democratize the educational system. A higher educational institution had been established to train teaching staff for universities throughout the country. In addition to improving the quality of higher education, attention had been given to increasing the number of students, which had risen from 460,000 in the 1985-1986 academic year to 560,000 in 1989-1990. Increasing the number of female students had involved not only guaranteeing them equal opportunities to attend universities, but also creating educational institutions exclusively for female students. Young women currently made up more than 30 per cent of the total student population.

38. Emphasis had been placed on co-operation in the scientific field with many universities and prestigious institutions throughout the world. New colleges had been set up, along with new specialized courses, and the number of faculties of medicine would shortly increase from the current 25 to 40. An Islamic university had been established after the revolution which was open to all who passed the entrance examination and wished to pursue university studies, whatever their age or previous qualifications. The university had very quickly expanded its activities throughout the country, benefiting thousands of students.

39. The leaders of Iran regarded education as a prerequisite for the country's autonomy and its economic, social, cultural and political progress. Accordingly, efforts had been made to provide educational opportunities for school-age children and adult illiterates. Iran had taken part in the World Conference on Education for All held in Thailand in March 1990. In line with

the goals of that Conference, the Iranian delegation had drawn up a plan of action to increase considerably both the rate of school enrolment of children between 6 and 10 years of age and the literacy rate of the population as a whole by the year 2000.

40. Within the framework of the International Literacy Year proclaimed by the United Nations General Assembly to promote education and literacy around the world, the Literacy Movement had drawn up a programme of action to reduce the illiteracy rate considerably throughout the country. The President had urged the nation to intensify its efforts in promoting education and literacy. Following that message, the media had increased their contribution to literacy activities. As a result of all those efforts, 800,000 persons had taken literacy classes in June 1990 and a further 1,200,000 would do so in December. About 6 million illiterates in all were expected to benefit from that programme by the end of the decade.

41. Under the Constitution, all Iranians had equal access to education. The aim of educators and policy-makers was not only to guarantee the implementation of that Constitutional principle, but also to teach Iranians respect for human rights.

42. Turning to the questions put by the pre-sessional working group, he explained that the report did not deal with the rights set forth in article 15 of the Covenant because the Ministry of Culture had been unable to submit its report. His delegation hoped to be able to provide written information as soon as possible on the implementation of article 15 and requested the Committee to consider it as an addendum to the present report. The same applied to the reports concerning articles 6 to 9 and 10 to 12 of the Covenant.

43. It should be recalled that Iran had suffered a devastating war lasting eight years. Almost immediately after the war, three densely populated provinces had been struck by a very strong earthquake, which had caused great loss of life and destroyed a large number of homes, schools and hospitals. Recently, the country had taken in a flow of refugees from Kuwait, adding to the approximately 2 million Afghan refugees who had left their country after the entry of Soviet troops. The Iranian Government would, however, do everything to submit the information and reports requested to the Committee before its next session.

44. Citing articles of the draft declaration on human rights in Islamic countries, he indicated that the declaration should promote the implementation of the economic, social and cultural rights set forth in the Covenant. It proclaimed in particular that all men were born free and equal, that woman was equal to man and had her own rights and duties, that the husband was responsible for the welfare of the family, that every child had the right to moral and material protection and that women during pregnancy were entitled to special protection. It furthermore guaranteed the right to life, education and work, the right to enjoy the fruits of one's labour, the right to medical care, etc.

45. Mr. MOHSEN-POUR (Islamic Republic of Iran), referring to the right to education, said that, owing to economic restrictions, education had not yet been made compulsory in Iran. The Government had, however, taken measures to remedy that situation. Free meals had been offered to children in backward

rural areas since 1989. In addition, qualified young conscripts were sent to isolated rural areas to teach in primary schools for two years instead of performing military service. The Development Programme for 1988-1998 aimed to raise the school enrolment rate for children between 6 and 10 years of age from 78.5 per cent to 84 per cent.

46. Regarding access to education, one priority of the Ministry of Education was to provide girls with the same educational opportunities as boys, particularly in rural areas. The number of girl pupils had consequently increased from 4,363,000 in 1985-1986 to 6,370,000 in 1990-1991. The attendance rate was currently 80 per cent, of which 45.7 per cent were girls, in primary schools and 45 per cent, of which 39.5 per cent were girls, at the transition or orientation level. Females comprised 42.3 per cent of enrolment in secondary education and 30 per cent of students at universities. With regard to vocational and technical training at the secondary level, girls were free to choose whatever branch interested them. In 1989-1990, girls had accounted for one third of all pupils enrolled in vocational and technical institutions at the secondary level. It was planned to create new disciplines to meet the needs of the country's female students.

47. The rate of school enrolment was lowest in rural areas, which were less well equipped than urban areas.

48. With regard to the difficulties encountered by the educational system, it should first of all be noted that a high percentage of pupils failed the examinations or left school even before completing their primary education. Furthermore, there were not enough qualified teachers at either the primary or secondary levels. There was currently a shortage of some 116,000 teachers, while the number of school-age children showed a marked increase. The war and the two earthquakes suffered by Iran had destroyed many schools and taken a heavy toll among teachers and students. Moreover, during the eight years of hostilities, the Government had been unable to allocate sufficient funds to education and many children had not been able to attend school.

49. On the question of assistance from international organizations, he indicated that the Ministry of Education had taken an active part in the sessions of the UNESCO General Conference and in the International Conference on Education held by the International Bureau of Education, as well as in regional meetings and seminars sponsored by the UNESCO Principal Regional Office for Asia and the Pacific. Furthermore, the Ministry of Education had in recent years implemented several pilot projects and training courses in co-operation with UNESCO and its affiliated bodies.

50. With regard to educational opportunities for minorities, it should be pointed out that the Constitution recognized only three religious minorities: Zoroastrians, Jews and Christians. They were free to teach and practise their religious beliefs and had the right to establish their own schools. In 1989-1990, 10,035 Christians, 3,574 Jews and 2,387 Zoroastrians had enrolled in schools belonging to the minorities. With regard to ethnic groups, it should be noted that the Government had the responsibility to provide all Iranian citizens, whatever their ethnic origin, with the same educational opportunities.

51. On the question of the Islamization of the educational system, it should be recalled that, in a country such as Iran, where 98 per cent of the population were Muslims, moral education had an important place in the schooling system and religious instruction was compulsory at school. Of course, the religious minorities were not obliged to practise Islam, but they were required to receive religious instruction.

52. Concerning human rights education, the aims and role of the international organizations working to maintain peace were discussed in social science textbooks. Students of political science studied the United Nations human rights instruments in depth. In addition, Muslim Iranian students acquired knowledge about human dignity and political and individual rights from the viewpoint of Koranic law. The viewpoint of Islam on the question of human rights was not necessarily contrary to international standards.

53. Lastly, with regard to the possibility of combining work and education, a programme had been put into operation in 1983 to familiarize students with various professions. Under the programme, pupils at the secondary level had one day off school per week to visit factories, workshops or stores to become acquainted with the world of work.

54. The CHAIRMAN thanked the members of the Iranian delegation for their presentation and invited the members of the Committee to put oral questions.

55. Mr. ALVAREZ VITA thanked the Iranian delegation for its presence and expressed his satisfaction at the co-operation of the members of the delegation with the Committee.

56. He wished, however, to draw attention to the concern felt by the international community about the situation of the Baha'is in the Islamic Republic of Iran, a concern that he shared. In his report on the human rights situation in the Islamic Republic of Iran (E/CN.4/1990/24), the Special Representative of the Commission on Human Rights, Mr. Galindo Pohl, provided disturbing information about the treatment of the Baha'is. The situation of the Baha'i community in the country had, furthermore, been considered on a number of occasions in the Commission on Human Rights and the Third Committee of the General Assembly. The general impression was that the Baha'is were subject to massive violations not only of their civil and political rights, but of their economic, social and cultural rights, and were being persecuted contrary to the Universal Declaration of Human Rights and the Declaration on Human Rights in Islamic Countries. Therefore, although the situation of the Baha'is had already been mentioned in one of the questions prepared by the pre-sessional working group, he would like the Iranian delegation to explain some aspects of the situation of the Baha'i community in more detail.

57. Mr. SIMMA thanked the Iranian delegation for its oral introduction to the report of the Islamic Republic of Iran. He drew attention to article 13, paragraph 1, of the Covenant, which stated that education should enable all persons to participate effectively in a free society, should be directed to the full development of the human personality and the sense of its dignity, and should strengthen the respect for human rights and fundamental freedoms.

Considering those basic goals of education and the concept which was at the very foundation of human rights, namely, that economic, social and cultural rights were indissociable from civil and political rights, he wondered whether the right to education could be realized in a State which was marked by the repression of political opponents and certain religious groups and in which, according to information published by Amnesty International, thousands of persons had been tortured and executed. It was against that background and bearing in mind the reservations he had just expressed that the Iranian delegation should consider the questions he was about to raise.

58. Concerning paragraph 2 (c) of the report of the Islamic Republic of Iran (E/1982/3/Add.43), which stated that one educational goal was to encourage students to struggle against any kind of tyranny and domination and to secure political independence, he wondered what kinds of tyranny, domination and political independence were meant in that context and whether that goal extended to allowing Iranian students to criticize the existing political régime.

59. Paragraph 6 of the report said that mentally retarded as well as gifted children received special education. Since that paragraph mentioned only the educational facilities available for handicapped and retarded children, he inquired as to what type of special education was provided in the Islamic Republic of Iran for exceptionally gifted children.

60. In paragraph 21 of the report, it was claimed that 5,850,000 illiterate persons had attended literacy classes between 1980 and 1986. That figure seemed very high compared with information drawn from the Iranian press. As the representative of the Islamic Republic of Iran had given figures in his oral presentation that were different again, he would like to know exactly what the situation was in that regard.

61. Referring to paragraph 24 of the report, he said that his doubts about whether there might be discrimination on religious grounds in the educational system had not been dispelled, particularly in so far as the Baha'i community was concerned.

62. With regard to the loans which could be made available to teachers (see para. 28 of the report), according to his information, only 500,000 out of 1 million applications to the Government for loans had received a positive response in 1989. Had that figure changed since?

63. According to paragraph 31 of the report, teachers who travelled abroad could purchase their plane tickets with a 40 per cent discount. He wondered whether there was a procedure to determine which teachers were authorized to travel abroad and whether political considerations were a factor in that context.

64. Regarding the number of hours of teaching per week by each teacher, he wondered whether the figure of 24 hours mentioned in paragraph 32 of the report was realistic. Information communicated to him suggested that, owing to the shortage of teachers, the figure might be closer to 40 hours per week in secondary education.

65. Referring to paragraph 38 of the report, he asked what individuals and groups had taken advantage of the opportunity to establish primary schools and other educational institutions. With regard to paragraph 39 of the report, which indicated that primary education had not been compulsory in the Islamic Republic of Iran by the time of writing of the report, he was not clear whether primary education was now compulsory and would like some clarification in that regard and also as to whether there was a detailed plan of action to give effect to the relevant provisions of the Covenant.

66. Mr. ALSTON said he was pleased that the Iranian delegation had been able to initiate a dialogue with the Committee. He awaited with interest the other reports due from the Islamic Republic of Iran and welcomed the promise given by the representative of the State party that those reports would be submitted in the course of the following year. He realized that the State party had been faced with serious problems, but it was all the more important in such circumstances for the reports to be submitted.

67. In replying to the question of the pre-sessional working group concerning possible differences between regions in the rate of school enrolment, the representative of the Islamic Republic of Iran had referred in very general terms to the disparities between urban and rural areas. In fact, the question had been much broader in scope and the Committee had wished to ascertain whether there were major disparities in the Islamic Republic of Iran between one region and another in the rate of school enrolment, the educational facilities available, the teacher-pupil ratio, etc.

68. He also wished to know what the situation of the ethnic groups was in so far as the realization of the right to education was concerned and, more particularly, what the level of instruction of children belonging to the Kurdish minority was.

69. According to the latest United Nations statistics, the rate of enrolment in higher educational institutions was 7.1 per cent for men and 2.7 per cent for women. Those statistics, which roughly corresponded to the figures given by the representative of the Islamic Republic of Iran, showed a large disparity between women and men in the degree of access to higher education. He therefore inquired whether the rate of enrolment of women in higher education had increased or decreased in recent years, in particular since the Islamic revolution. He also asked what steps were being taken to encourage women to pursue higher education.

70. With regard to the Baha'i community, he asked whether it was true, as indicated in the report by the Special Representative of the Commission on Human Rights (E/CN.4/1990/24, para. 58), that the Baha'is had not been permitted to attend primary and secondary schools until 1988 and were still being refused admission to universities. Referring to the case mentioned in the Special Representative's report (para. 61 (b)) of a student prevented from continuing his studies because of his relationship with the Baha'i sect and his refusal to make a declaration renouncing his affiliation, he asked whether instances of that kind were common and what steps were being taken by the Government to prevent their recurrence in future.

71. While noting the reasons why the State party had been unable to provide information on the implementation of article 15 of the Covenant (right to culture), he felt that, in the absence of such information, the Committee could not finish its consideration of the report of the Islamic Republic of Iran. Unless it received the information before the end of the current session, the Committee would, in his view, have to conclude that consideration of the report should remain incomplete, pending sufficiently detailed information on the implementation of article 15.

72. Mr. MARCHAN ROMERO first of all thanked the Iranian delegation for its replies to the various points raised in the questionnaire. He asked whether the principle of free education, as set forth in the Constitution of the Islamic Republic of Iran, also applied to university education.

73. Regarding the liberty of parents to ensure the religious education of their children in conformity with their own convictions (art. 13, para. 3, of the Covenant), he wondered whether in an almost entirely Muslim society the general affirmation contained in paragraph 2 (a) of the report, namely, that one goal of the educational system was to strengthen the beliefs of students in the dignity of humanity, its superior role, its freedom and its responsibility before God, might not be in conflict with the principle set forth in article 13, paragraph 3, of the Covenant.

74. Referring to paragraph 7 of the report, concerning the education of refugees, he wondered whether those minority groups enjoyed the same educational opportunities as Iranian students. He also wished to know what other ethnic groups, apart from the Iraqi Kurds and the Afghans, were covered by the educational system for refugees.

75. Mr. NENEMAN said that, like previous speakers, he wished to thank the Iranian delegation for having agreed to appear before the Committee. With regard to exceptionally gifted children, he asked whether there were special classes for such children in the ordinary schools or whether a particular system of education was provided for them. Concerning the shortage of teachers mentioned in the report of the Islamic Republic of Iran, he inquired whether recruitment problems were due to the low salaries paid to teachers and the lack of other incentives. In that connection, it would be useful to know how the salary of a teacher compared with that of a public official or a soldier, for example.

76. The representative of the Islamic Republic of Iran had stated that pupils and students were required to have a religious education (whether in Islam or some other religion). He wished to know what the situation was with regard to atheists, whether there were none or whether they were not tolerated, or whether they were allowed not to undergo any religious instruction.

77. Like Mr. Alston, he was disappointed by the absence of information on the implementation of article 15 of the Covenant, especially considering that Persian culture was a most ancient and particularly rich culture. He therefore hoped that information would shortly be forthcoming on the implementation of the right to culture and on cultural diversity and freedom of cultural expression, since that would help the Committee to determine whether the population as a whole really had access to culture.

78. Mr. MRATCHKOV joined with the previous speakers in thanking the Iranian delegation. At the same time, like some other speakers, he regretted the absence of information on the implementation of article 15 of the Covenant.

79. According to the report submitted by the Islamic Republic of Iran (E/1982/3/Add.43), considerable progress had been made in the past few years to promote literacy. In that regard, he asked whether illiteracy had effectively been combated in the Islamic Republic of Iran and, if not, he would like more details on the illiteracy rate among minors and adults.

80. With reference to paragraph 7 of the report, he requested additional information, and, if possible, statistics, on the education of the refugees, covering not only the Afghans but also the Iraqi Kurds and other Iraqi ethnic groups. He asked in particular whether there were schools for refugees and, if so, how many there were and how many refugees attended them.

81. Lastly, the representative of the State party had certainly reassured the Committee about the fact that secular education and religious education were linked in the Islamic Republic of Iran, but he would nevertheless like more information on how those two types of education were combined.

82. Mr. TEXIER thanked the representatives of the Islamic Republic of Iran for their long-awaited oral presentation. Like Mr. Simma, he had major reservations about the human rights situation in Iran. His reservations were confirmed by a newspaper article which had appeared that very day reporting thousands of executions and the arrest of persons who had signed an open letter to the President in the Islamic Republic of Iran. He felt that the implementation of the right to education had to be considered in that general context.

83. With regard to secular education, he pointed out that, under article 13 of the Covenant, education should above all be free, as well as public, and that parents should be given the opportunity to choose a private institution for their children if they so wished, as provided for in paragraph 3 of that article, which guaranteed the liberty of parents "to ensure the religious and moral education of their children in conformity with their own convictions". In his view, the fact that parents were given the option to ensure a religious education for their children meant, conversely, that education should in principle be secular. He therefore wondered whether it was possible to have a secular - and an exclusively secular - education in the Islamic Republic of Iran, without any religious education.

84. Concerning the equality of the sexes, he referred to paragraph 13 of the report of the Islamic Republic of Iran (E/1982/3/Add.43), which described the interaction between work and secondary education and from which it appeared that the practical activities envisaged in that regard were not the same for boys as for girls. He asked whether in fact there were specific career paths, with young women being directed solely towards cooking, embroidery and sewing, while factory work was reserved for men.

85. Mrs. JIMENEZ BUTRAGUEÑO thanked the Iranian delegation for having agreed to enter into a dialogue with the Committee. Like the other experts, she had consulted the report of the Special Representative of the Commission on Human Rights, as well as a great deal of statistical information, and was concerned

by the same problems. However, she would concentrate her comments more specifically on the situation of women in the Islamic Republic of Iran. In that regard, she wished to know in particular to what extent the Islamic revolution of 1979 had brought about an improvement in the situation of women.

86. In addition, she would be grateful for details about developments in the civil and especially criminal legislation of the Islamic Republic of Iran, since women could not make a real contribution to their country's economic, social and cultural life if they had a minor status in civil or criminal law. More specifically, she would like to know whether the Iranian Government intended to amend the provisions of the Penal Code which still allowed the stoning of an adulterous wife. She also inquired whether changes were planned in the civil legislation and whether a married Iranian woman was free to take up employment or whether she needed permission from her husband to do so.

87. Mr. KONATE said that it appeared from the report submitted by the Islamic Republic of Iran that girls were provided with a different education from boys. Yet according to the Shari'a, which was in many respects the source of law in the Islamic Republic of Iran, education or more exactly the "pursuit of knowledge" was an obligation for all Muslims, male and female. He therefore wondered how a distinction could conceivably be made between girls and boys in that "pursuit of knowledge" and on what grounds such a distinction could be justified.

The meeting rose at 6.10 p.m.